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Key Water Legislation Receives Strong Support in House; HB 19 Passes 41-26

(Santa Fe, NM) —House Bill 19, sponsored by Representative Patricia Lundstrom, passed the New Mexico House of Representatives today with a vote of 41-26. This bill would allow the New Mexico Environment Department (NMED) to use a portion of the state Corrective Action Fund to broadly address, protect and improve the state's water quality.

This bill has the strong support of Governor Bill Richardson and is a key part of his overall budget plan.

"When the CAF was created it was believed that leaking petroleum storage tanks were the biggest threat to New Mexico's groundwater," said Secretary Curry. "We now believe that septic tanks are actually the state's largest polluter, fouling more acre-feet of groundwater than all other sources combined. Since our understanding of the state's biggest water threat has shifted, we believe it makes sense for some of the environmental funding to shift as well. The state legislature put the CAF into the Groundwater Protection Act, we therefore believe it is very appropriate to use these funds to protect the state's precious water resources."

The Corrective Action Fund (CAF) was established by the State Legislature to provide funding to clean up pollution from leaking petroleum storage tanks. It also provides financial assurance coverage to tank owners and operators, saving them the expense of private insurance to cover their businesses. New Mexico consumers pay approximately two pennies a gallon into the fund each time they fill their gas tank. These payments put an average of \$1.8 million into the fund each month.

"This money belongs to all New Mexicans, not to any special interest," said Secretary Curry. "Therefore, I believe this money would be best and most appropriately spent protecting the water resources of all New Mexicans from every contamination source."

HB19 would allow NMED to shift up to 30 percent of the CAF to other areas of the Department for water protection and enforcement. This bill does not increase taxes and will not adversely impact the clean up of leaking petroleum storage tanks around New Mexico. The clean up of these contaminated sites will continue at current levels without interruption under this legislation, while water quality issues vital to our state's future will also be addressed.

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This shifting of funds within NMED would also leverage an additional \$2.7 million in federal match dollars, money that would otherwise not be available to the state.

“This legislation is the most important to ever come out of the Environment Department,” said NMED Secretary Ron Curry. “This funding shift would put NMED at ‘full power’ for the first time in the Department’s history, filling approximately 70 vacancies with inspectors and enforcement personnel who would have a direct, positive impact on New Mexico’s water resources.”

In addition to Governor Bill Richardson and Representative Patricia Lundstrom, Senator Ben Altamirano and Representatives Lucky Varela, Ken Martinez, Joseph Cervantes, and Mimi Stewart also support this legislation.

For further information contact Jon Goldstein, Communications Director, NMED at (505) 827-0314.

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